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December 31, 2019

**VIA ECF**

Magistrate Judge Sarah L. Cave  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

**Re: Steven Matzura v. Eddie Bauer LLC - Civil Action No. 1:19-cv-10143-LTS-SLC**

Dear Judge Cave:

This firm represents Defendant Eddie Bauer LLC ("Defendant") in the above-referenced matter. We write jointly with Plaintiff Steven Matzura ("Plaintiff") to respectfully request a thirty (30) day extension of time for Defendant to respond to the Complaint, up to and including February 12, 2020. This letter is the second request for an extension of this deadline.

By way of background, Plaintiff commenced this action on or about November 5, 2019, alleging violations of Title III of the Americans with Disabilities Act and related state law in connection with the availability of Braille gift cards. (ECF No. 1.) Plaintiff served the Summons and Complaint on November 22, 2019, and Defendant's responsive pleading was initially due on December 13, 2019. (ECF No. 5.) On November 26, 2019, Defendant filed a request for a thirty-one (31) days extension of the deadline to respond to the Complaint, which was granted by the Court on December 2, 2019. (ECF Nos. 7 & 9.) Accordingly, Defendant's response to the Complaint is presently due on January 13, 2020. (ECF No. 9.)

The parties are requesting this extension of the responsive pleading deadline because they required additional time to explore whether a non-litigated resolution of Plaintiff's claims may be possible. To the extent a non-litigated resolution of Plaintiff's claims is not possible by February 13, 2020, Defendant intends to initiate dispositive motion practice in this action and requires additional time to prepare this submission.

We respectfully submit this request in good faith and not to cause undue delay. The granting of this request will not impact any other scheduled deadlines. We thank the Court for its time and attention to this matter.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ John W. Egan  
John W. Egan

The parties' request for an extension of time for Defendant to respond to the Complaint (ECF No. 10) is GRANTED. Defendant is directed to respond to the Complaint by **Wednesday, February 12, 2020**. The Clerk of Court is respectfully directed to close ECF No. 10.

SO ORDERED 1/2/20

  
SARAH L. CAVE  
United States Magistrate Judge